

# THE STUDY OF RELIGION AND HISTORY

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## AUTHORITY, ACCOUNTABILITY, AND JUSTICE: AN APPLIED AND COMPARATIVE REVIEW OF ISLAMIC PRINCIPLES, THE CONSTITUTION OF PAKISTAN AND THE UNITED NATION'S CHARTER

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### Abstract:

*In the modern era, the sustainable political and administrative stability of any state depends on the strength of good governance, transparent accountability and impartial justice system. This research article presents a comparative framework of these enduring Islamic principles with two important legal documents of the present era, namely the Constitution of Pakistan (1973) and the United Nations Universal Declaration of Human Rights (UDHR).*

*This research has mainly adopted a descriptive, analytical and comparative method. In preparing the paper, Islamic sources (Quran, Sunnah and Fiqh), specific parts of the Constitution of Pakistan especially the Objectives Resolution (Qarārdād e Maqāsīd)/Article 2A and Chapter I Fundamental Rights) and the Charter of the United Nations have been considered as primary sources. Along with this, an applied and practical model has been developed under the qualitative method to solve contemporary administrative challenges so that theoretical research can be converted into practical reforms.*

*This article mainly seeks to answer the questions that how has the path of absolute rule been blocked in Islamic political thought? The second important question is that despite the recognition of divine sovereignty in Article 2A of the Constitution of Pakistan (1973), why has the implementation of impartial accountability and justice not yet been established in the country? The third is to what extent is the philosophy of equality and fair trial contained in the Charter of the United Nations (especially Articles 1, 7 and 10) compatible with Islamic principles? Also, what practical framework can be devised for reforming the current administrative structure of Pakistan by comparing these three systems?*

*The findings of the study clearly show that the Islamic concept of accountability and justice is not merely legal but also based on moral and theological foundations, which makes it distinct and more effective than the prevailing Western laws. This article also proves that many of the positive aspects of the United Nations Charter of Human Rights, such as equality before the law, are due to the fourteen hundred years of Islamic justice system. Finally, this article proposes a three-dimensional implementation framework that can be followed to realize the dream of rule of law, impartial accountability and good governance in Pakistan.*

### • Keywords:

Authority, Accountability, Justice, Islamic Principles, United Nation's Charter, Equality, Human Rights, Framework,

### • Introduction:



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The history of human civilization is a witness that the rise and fall, peace, stability and survival of any society are associated with a just system of government where authority is considered a trust, where rulers are accountable to the law like the people, and where even the weakest member of society has immediate and free access to justice and equal human rights.

In the present era, while on the one hand international laws based on Western thought and the United Nations Charter claim to protect human rights, on the other hand Muslim-majority countries, especially the Islamic Republic of Pakistan, are striving to form an ideal state by combining Islamic principles and modern democratic requirements within their existing constitutional structure.

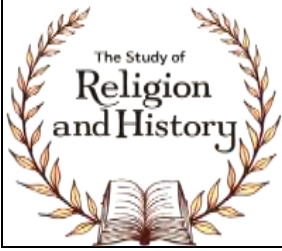
Islamic political philosophy presents the first complete and comprehensive model of good governance in human history, based on material and moral realities rather than ideological concepts. The concept of political authority in Islam revolves around "divine sovereignty" and "human caliphate", where every functionary of the government is bound to use his power for the public welfare, considering it a trust from Allah Almighty. The accountability system of Islam does not merely require worldly law or parliamentary committees, but also instills in the individual a sense of "fear of God" and accountability in the hereafter. Similarly, the concept of justice in Islam transcends color, race, religion and social status and makes every member of society, including the rulers, equal in the eyes of the law, the best examples of which we find in the era of the Prophet Muhammad (PBUH) and the Rightly Guided Caliphate.

In the modern era, the Constitution of Pakistan (1973) is such a historical document, in which the source of supreme sovereignty has been declared to be Allah Almighty through Article 2A. Also, under Chapter I, all the fundamental rights have been provided to the citizens which are the hallmark of any modern democratic society. However, despite having such a strong constitution ideologically, the current administrative and political system of Pakistan is in serious crisis.

The research article under consideration has been written in this context. The main objective of which is to highlight these principles of Islamic political philosophy (governance, accountability and justice). This paper, by conducting an in-depth comparative analysis of the fundamental provisions of the Constitution of Pakistan (1973) and the United Nations Charter of Human Rights, clarifies where there is harmony in these three spheres and where there is an implementation gap. For the sake of scientific comparison, this comparison has been presented in the form of a comparative matrix and a practical and applied framework has been proposed for the reform of Pakistan's administrative, judicial and political systems that is not only in accordance with the Islamic spirit but also meets international legal requirements.

## • Research Methodology

Since the nature of the subject of this research article is simultaneously theological, constitutional and descriptive, the "Descriptive, Analytical, and Comparative Method" has been adopted to complete this research. Since this is a qualitative research, primary sources such as the Quran, Sunnah, authentic historical references, the 1973 Constitution of Pakistan, especially Article 2A and the chapters on fundamental human rights, and the Charter of the United Nations have been



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taken into account for data collection and analysis. In addition to these primary sources, books by Islamic scholars have also been used. After a comparative and analytical study of the data obtained, a framework has been formulated to solve the problems of the current administrative structure of Pakistan so that this research is not limited to theoretical discussion but its practical application can be revealed.

## • Important Research Questions

This article seeks to answer the following key questions.

1. What is the essence of authority, accountability, and justice in Islamic political philosophy, and how does it differ ideologically from Western and mainstream political systems?
2. What are the similarities or contradictions between the Constitution of Pakistan (1973) and the United Nations Universal Declaration of Human Rights (UDHR) regarding these three pillars: governance, accountability & justice?
3. What practical and enforceable framework can be devised to improve Pakistan's current system of good governance in light of the principles derived from a comparative analysis of these three systems: Islam, the Constitution of Pakistan & the Universal Declaration?

## • Authority, Accountability and Justice in Islamic Political Philosophy:

Islam does not consider politics as a secular process separate from religion, or theocratic philosophy but rather considers it a means of establishing religion and the welfare of humanity. Below is a detailed overview of the three fundamental pillars of Islamic political philosophy: authority, accountability and justice.

### 1. The concept of authority in Islam:

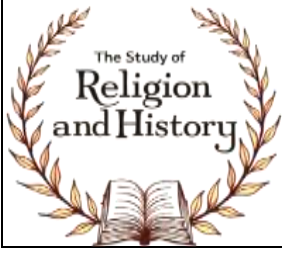
The concept of authority in the Islamic political system is completely different from that of secular or theocratic states. In a secular state, religion does not interfere, while in a theocratic state, religious leaders issue fatwas of their own accord. In Islam, neither politics can be separated from religion, nor can religious leaders enforce their own orders. Rather, in Islam, supreme sovereignty is reserved for Allah alone. Man is the vicegerent (khalifa) of Allah on earth, and whatever political or administrative authority he receives is a "trust" with him.

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ<sup>1</sup>:

Indeed, Allah commands you to render back trusts to those to whom they are due, and when you judge between people, to judge with justice.

قُلِ اللَّهُمَّ مَلِكُ الْمُلْكِ تُؤْتِي الْمُلْكَ مَنْ تَشَاءُ وَتَنْزِعُ الْمُلْكَ مِمَّنْ تَشَاءُ وَتُعِزُّ مَنْ تَشَاءُ وَتُهْزِلُ مَنْ تَشَاءُ بِيَدِكَ الْخَيْرُ إِنَّكَ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ<sup>2</sup>.

Say, "O Allah! O Lord of the worlds! You give sovereignty to whomever You will and take sovereignty away from whomever You will, and You honor whomever You will and humiliate whomever You will. In Your hand is all good. Indeed, You are capable of all things



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ان الخُكمَ اِلَّا لله ۗ امرَ اِلَّا تعْبُدُوْا اِلَّا اِيَّاهُ ۗ ذٰلِكَ الدِّيْنُ الْقَيِّمُ وَلٰكِنَّ النَّاسَ لَا يَعْلَمُوْنَ.<sup>3</sup>

The authority of command (and sovereignty) is only for Allah. He has commanded that you worship none but Him. That is the right religion, but most people do not know.

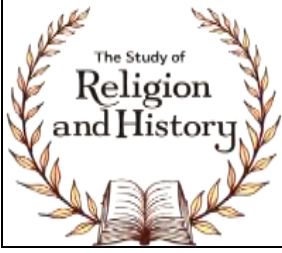
يٰدَاوُدُ اِنَّا جَعَلْنَاكَ خَلِيْفَةً فِى الْاَرْضِ فَاحْكُم بَيْنَ النَّاسِ بِالْحَقِّ وَلَا تَتَّبِعِ الْهَوٰى فَيُضِلَّكَ عَنْ سَبِيْلِ اللّٰهِ.<sup>4</sup>  
O David, We have made you a vicegerent on earth, so rule between people with truth and justice, and do not follow your desires, for they will mislead you from the path of Allah.

عَنْ اَبِي ذَرٍّ، قَالَ: قُلْتُ: يَا رَسُوْلَ اللّٰهِ، اَلَا تَسْتَعْمِلُنِيْ؟ قَالَ: فَضْرَبَ بِيَدِهِ عَلٰى مَنْكِبِيْ، ثُمَّ قَالَ: "يَا اَبَا ذَرٍّ، اِنَّكَ ضَعِيْفٌ، وَاِنَّهَا اٰمَانَةٌ، وَاِنَّهَا يَوْمَ الْقِيَامَةِ خَزِيْرٌ وَّنَدَامَةٌ، اِلَّا مَنْ اَخَذَهَا بِحَقِّهَا، وَاَدَّى الَّذِي عَلَيْهِ فِيْهَا."<sup>5</sup>  
It is narrated from Hazrat Abu Dharr (RA), who said: I said: O Messenger of Allah! Will you not make me a governor/administrator (of a region)? The narrator says: So he (PBUH) struck my shoulder with his hand, then said: "O Abu Dharr! You are weak, and this (political and administrative authority) is a trust, and it will be a cause of disgrace and regret on the Day of Resurrection, except for the one who took it with all its right and fulfilled the responsibility that was incumbent on him regarding it (honestly).

The renowned thinker Abul Ala Maududi writes in his book "Islami Riasat" that in Islam, the right to rule does not accrue to any individual or family on a personal basis, but rather it is a form of representation within the limits of the supreme authority, where the ruler of the time is bound by the injunctions of the Sharia.<sup>6</sup> While giving a legal interpretation of this political authority, the most prominent international jurist and religious scholar of the twentieth century, Dr. Muhammad Hamidullah, in his book "Ehd e Nabwi Men Nizam e Hukmarani", states that in an Islamic state, the government of the day does not have unlimited or dictatorial powers in legislative or administrative matters; rather, its authority is limited to implementing the principles of public welfare and consultation (shura) within the constitutional limits set by the Quran and Sunnah.<sup>7</sup>

## 2. The Concept of Accountability in Islam:

The concept of accountability in Islam is not limited to worldly audits or parliamentary committees, but rather operates on a dual framework of "personal accountability" and divine accountability. Every person holding political authority is accountable first to Allah and then to the people. We find its institutional manifestation in Islamic history in the form of the "Diwan al-Hasbah", whose main purpose was to oversee government officials and public affairs by enjoining good and forbidding evil.



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وَلَتَكُنَّ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ.<sup>8</sup>

And there must arise from among you a group (or institution) inviting to goodness, enjoining what is right and forbidding what is wrong, and it is these who will be successful.

وَإِذْ قَالَتْ أُمَّةٌ مِنْهُمْ لِمَ تَعِظُونَ قَوْمًا اللَّهُ مُهْلِكُهُمْ أَوْ مُعَذِّبُهُمْ عَذَابًا شَدِيدًا<sup>9</sup> قَالُوا مَعذِرَةٌ أَلَى رَبِّكُمْ وَلَعَلَّهُمْ يَسْقُونَ.<sup>9</sup>  
And when a group of them said, "Why do you advise a people whom Allah is about to destroy or punish with a severe punishment?" They said, "That we may be justified before your Lord, and that perhaps they may be saved".

إِنَّ كُلَّ مَنْ فِي السَّمَوَاتِ وَالْأَرْضِ إِلَّا آتَى الرَّحْمَنَ عَبْدًا لَقَدْ أَحْصَاهُمْ وَعَدَّهُمْ عَدًّا<sup>10</sup> وَكُلُّهُمْ أَيْنِهِ يَوْمَ الْقِيَامَةِ فَرْدًا.<sup>10</sup>  
Whoever is in the heavens and the earth will appear before the Most Gracious as a single servant. Indeed, He has encompassed them all and has counted them well, and each of them will appear before Him alone (being individually accountable) on the Day of Resurrection.

عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: "كُلُّكُمْ رَاعٍ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ، فَالْإِمَامُ الَّذِي عَلَى النَّاسِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْهُمْ."<sup>11</sup>

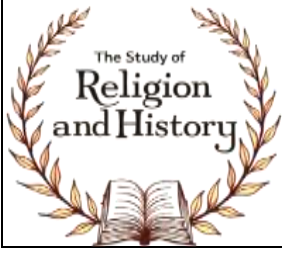
It was narrated from Abdullah bin Umar that he heard the Messenger of Allah (ﷺ) say: "Every one of you is a guardian and will be held accountable for his subjects." So the ruler who is appointed over the people is a guardian and will be held accountable for his subjects (on the Day of Judgment).

Ibn Khaldun writes that accountability is a religious and political position whose function is to protect the rights of the subjects and prevent the authorities from tyranny, so that the system is not destroyed by the intoxication of nepotism and power. The entire period of the Rightly Guided Caliphate is a practical example of this, where even an ordinary citizen could ask Hazrat Umar Farooq (RA) for an account of his clothes in the market. This concept of accountability in Islam prevents the ruling class from becoming autocratic.<sup>12</sup>

### 3. The Concept of Justice in Islam:

Justice is the soul of Islamic political and social philosophy and the fundamental law of the universe. Islam offers a system of justice in which there is free and immediate justice for the rich, the poor, the ruler and everyone else. This justice is completely free from discrimination on the basis of color, race, religion and class.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ عَلَىٰ آلا تَعْدِلُوا<sup>13</sup> إِعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ<sup>13</sup> وَاتَّقُوا اللَّهَ<sup>13</sup> إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ.<sup>13</sup>



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"O you who believe! Be steadfast in justice, witnesses for the cause of Allah, and let not the hatred of a people incite you to be unjust. Be just! That is nearer to piety, and fear Allah. Indeed, Allah is fully aware of what you do".

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ ۚ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا ۖ فَلَا تَتَّبِعُوا الْهَوَىٰ أَن تَعْدِلُوا. <sup>14</sup>

O you who believe! Be steadfast in justice, witnesses for Allah, even if it is against yourselves or your parents or your near relatives. Whether he is rich or poor, Allah is more loving to both than to you. So do not follow your own desires to deviate from justice.

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا ۖ وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ ۗ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ ۗ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا. <sup>15</sup>

Indeed, Allah commands you to render back trusts to those to whom they are due, and when you judge between people, to judge with justice.

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا أَنَّ قُرَيْشًا أَهَمَّهُمْ شَأْنُ الْمَرْأَةِ الْمُخْزُومِيَّةِ الَّتِي سَرَقَتْ... فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "إِنَّمَا أَهْلَكَ الَّذِينَ قَبْلَكُمْ أَنَّهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكَوهُ، وَإِذَا سَرَقَ فِيهِمُ الضَّعِيفُ أَقَامُوا عَلَيْهِ الْحَدَّ، وَإِيمَ اللَّهُ لَوْ أَنَّ فَاطِمَةَ بِنْتَ مُحَمَّدٍ سَرَقَتْ لَقَطَعْتُ يَدَهَا." <sup>16</sup>

It was narrated from Aisha (may Allah be pleased with her) that the people of Quraysh were very worried about a woman from the tribe of Makhzum (Fatima) who had stolen (and they wanted to have her punishment forgiven). The Messenger of Allah (peace and blessings of Allah be upon him) said: "Those before you were destroyed only because when a respected and powerful man among them stole, they would let him go (exempt from the law), and when a weak and poor man stole, they would impose the hadd punishment on him. By Allah! If Fatima, the daughter of Muhammad (peace and blessings of Allah be upon him), had stolen, I would have ordered that her hand be cut off".

Imam Ghazali writes that "no state can survive on oppression." He made it clear that justice means putting the weak on an equal footing with the strong and keeping the judiciary completely free from political pressure. <sup>17</sup>

## • The Constitution of Pakistan and the UDHR:

When we compare the eternal principles of Islamic political thought (governance, accountability, and justice) with contemporary legal sources, two of the most important historical documents of the twentieth century come to the fore: one at the domestic level, the supreme law of the country, the "Constitution of Pakistan (1973)"; and the other at the international level, the guarantor of



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universal human rights, the "United Nations Universal Declaration of Human Rights (UDHR)". Below is an overview of these two documents in the context of these three fundamental pillars.

- **Framework from Constitution of Pakistan:**

The Constitution of Pakistan is a unique prevailing law of its kind that presents a beautiful blend of Islamic theology and Western federal democracy. In this constitution, our desired three pillars have been protected under the following provisions:

1. Right of sovereignty and governance (Authority): According to Article 2A, the absolute sovereignty over the universe belongs to Allah Almighty alone and the authority that the ruling circles of Pakistan have, will be used within the limits set by the people as a "sacred trust".
2. Unbiased Accountability: Article 25 of the Constitution declares all citizens equal in the eyes of the law and clarifies that the protection of the law is the equal right of all. This article makes the ruling class accountable to the law like ordinary citizens, the institutional manifestation of which we see in the structure of accountability laws from Article 270 onwards.
3. Independent Justice: Article 175(3) of the Constitution is a very important legal pillar that guarantees the gradual and complete separation of the judiciary from the executive, so as to ensure fair trials and the delivery of independent justice. Furthermore, Article 10A provides every citizen with the "fundamental right to a fair trial."<sup>18</sup>

- **Framework from UDHR:**

The Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948 after the Second World War, is considered the foundation of international law and state governance in the modern era. The basic elements of our subject are set out in this charter as follows:

1. Authority and Legitimacy: Article 21(3) of the Universal Declaration states that the authority and legitimacy of any government shall be derived from the will of the people, which shall be expressed in free and fair elections.
2. Equality and Accountability: Article 7 of the Declaration states that all human beings are equal before the law and are entitled without any discrimination to equal protection of the law.
3. Fair Justice: Article 10 of the Charter grants everyone the fundamental right to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations and of any criminal charge.<sup>19</sup>

- **Comparative Analysis and Implementation Gap:**

When we compare Islamic Sharia, the Constitution of Pakistan and the UN Charter, it becomes clear that there is a deep intellectual harmony between these three systems in terms of principles. The rights that Islam granted fourteen hundred years ago (such as equality before the law and the rule of law), were adopted by the prevailing mindset in 1948.

The renowned jurist and former Chief Justice of Pakistan, Dr. Javed Iqbal (2004), writes in his book *Islam and Human Rights* that the Constitution of Pakistan and the UN Charter are



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ideologically very close to the principles of justice of Islam; but the real problem of Pakistan is not the absence of law, but the lack of implementation of law (Implementation Gap). Political interference, weak accountability system and the elite being above the law are the reasons due to which the Islamic and democratic provisions of the Constitution are mixed in the mud.<sup>20</sup>

- **Comparative Framework and Suggestions for Reforms:**

The following comparative framework is provided to understand the implementation gap between Islamic political principles, the Constitution of Pakistan (1973) and the United Nations Universal Declaration of Human Rights (UDHR).

1. Authority/Governance:

- \* Islamic political philosophy: The concept of divine sovereignty and human agency (Khilafah/Trust). Power is bound to the public good.

- \* Constitution of Pakistan (1973): The recognition of divine sovereignty under Article 2A (Declaration of Purposes) and the exercise of authority as a trust by the people.

- \* United Nations Universal Declaration of Human Rights (UDHR): The source of the sovereign authority of the government under Article 21(3) is the will of the people and fair elections.

- \* Implementation gap and current challenge: Lack of decentralization of powers to the lower levels (lack of decentralization) and the power elite considering themselves above the concept of trust.

2. Accountability/Responsibility:

- \* Islamic Political Philosophy: Dual accountability, both divine and temporal. Equal impeachment of both officials and subjects through the system of accountability.

- \* Constitution of Pakistan (1973): All are equal before the law under Article 25. Equal protection of law is the right of every citizen.

- \* United Nations Declaration (UDHR): All human beings are entitled to equal and equal protection of law under Article 7.

- \* Implementation gap and current challenge: Use of accountability institutions (e.g. NAB, FIA) for political engineering and legal immunity enjoyed by powerful classes.

3. Justice/Justice System

- \* Islamic Political Philosophy: Absolute and impartial justice. Speedy and affordable justice irrespective of colour, race and class. Complete independence of judiciary.

- \* Constitution of Pakistan (1973): Right to fair trial under Article 10A. Complete separation of judiciary from administration under Article 175(3).

- \* United Nations Declaration (UDHR): Article 10: Right to a public and fair hearing by an independent and impartial tribunal.

- \* Implementation gap and current challenges: Decades of delays in case decisions, lack of access to affordable justice, and administrative and political influence in judicial matters.

- **Applied Recommendations for Govt. Reforms in Pakistan:**

Considering the above three-dimensional comparative framework and the implementation gap, the reforms that are necessary in the administrative and constitutional system of Pakistan are given under the heading of Suggestions and Recommendations at the end of this research article.



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- **Conclusion:**

In the present era, where on one hand international laws based on Western ideas and the United Nations Charter claim to protect human rights, on the other hand Islamic political philosophy presents the first complete and comprehensive model of good governance in human history, which is based on material and moral realities rather than ideological concepts. In an Islamic government, every government worker is obliged to use his power for the welfare of the public, considering it a trust from Allah Almighty. The accountability system of Islam does not only depend on worldly law or parliamentary committees, but also instills in the individual the fear of God and the spirit of accountability in the Hereafter. Similarly, the concept of justice in Islam is above color, race, religion and social status and makes every individual in society, including the rulers, equal in the eyes of the law, the best examples of which we find in the era of the Prophet Muhammad (peace be upon him) and the Rightly Guided Caliphate.

In the modern era, the Constitution of Pakistan (1973) is such a historical document, in which Allah Almighty has been declared the source of supreme sovereignty through Article 2A. Also, under Chapter I, citizens have been provided with all the fundamental rights that are the hallmark of any modern democratic society.

When we compare Islamic political philosophy with the Constitution of Pakistan (1973) and the United Nations Universal Declaration of Human Rights (UDHR), the fact becomes clear as day that there is an extraordinary intellectual harmony in the basic objectives and goals of these three systems, both ideologically and philosophically. The Purpose Resolution (Article 2A) of the Constitution of Pakistan and the provisions of the United Nations Charter (especially Articles 7, 10 and 21) are contemporary legal reflections of the basic principles of the fourteen-hundred-year-old Islamic system of justice and accountability.

However, the most worrying aspect of this scholarly comparison is that the real problem of Pakistan is not the lack of constitutional provisions or prevailing laws, but the severe implementation gap in their implementation. Despite the presence of the highest Islamic and democratic principles in the constitution, in practice the country's administrative structure is in serious crisis due to political interference, partiality of accountability institutions and sluggishness of the judicial system. The tendency of the ruling class to use power for personal gain or class superiority instead of a "sacred trust" has paralyzed the entire concept of good governance, which has also been supported by contemporary Pakistani researchers.

The final point is that for the survival and stability of Pakistan's political and administrative system, mere traditional slogans or paper amendments will no longer work, but the three-dimensional applied framework proposed in this paper must be seriously implemented. In order to make Pakistan a truly Islamic and modern welfare state, it is necessary to ensure the transfer of powers to the local level, the non-political and permanent autonomy of accountability institutions, and the provision of prompt and cheap justice to the lower courts. Until the scales of justice and accountability are equal, the rule of law and the protection of human rights are not possible. This article conveys the message that only by combining the spirit of Islam, the prevailing requirements



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of the Constitution of Pakistan, and adherence to international laws can we lead Pakistan out of the current crises and onto the path of development.

- **Results:**

The research under review concludes that Pakistan does not need any new constitution or laws, but rather the real need is the honest implementation of the existing laws. Unless the rulers consider power as a trust of Allah and the people rather than personal sovereignty, and unless the rich and the poor are equal in terms of accountability and justice, then sustainable development and good governance in the country is not possible. The political philosophy of Islam, the Constitution of Pakistan and the United Nations Charter together provide an ideal path on which Pakistan can become a true welfare state.

The detailed comparative and analytical study of this research article has led to the following important conclusions: Islam's concept of authority, accountability and justice is not merely a worldly social contract but is based on theological and moral foundations, where the ruling class is permanently prevented from being absolute by declaring power as a "trust of Allah". The fundamental principles of the Objectives Resolution (Article 2A) of the Constitution of Pakistan (1973) and the Universal Declaration of Human Rights (UDHR) are ideologically indebted to the fourteen hundred years of justice and good governance of the Khilafah-e-Rashidah and that the real tragedy of Pakistan is not the lack of law or constitutional provisions, but the lack of implementation of the spirit of the Constitution due to political interference, partiality of accountability institutions and undeclared immunity enjoyed by the powerful elite. Also, the lack of authority in the current administrative system of Pakistan down to the lowest level (local bodies) and the slowness of decisions in the judicial system are the main reasons due to which the common man of the society is deprived of the fruits of prompt justice and good governance.

- **Recommendations:**

In light of the comparative analysis of the paper under consideration and the conclusions drawn, the following recommendations are made.

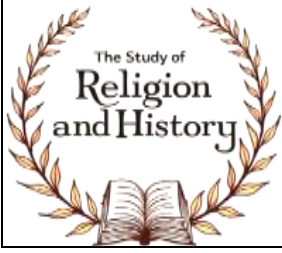
1. Non-political autonomy of accountability institutions:

In accordance with the Islamic justice system and Article 25 of the Constitution, institutions like NAB and FIA should be completely free from political influence. The heads of these institutions should be appointed on complete merit through the Judicial Commission of the Supreme Court rather than for any political expediency.

2. Making the judicial process fast and easy:

According to the Constitution, the judiciary should be made separate and completely autonomous from the administration up to the lower levels, and a legal time limit (e.g. four months) should be fixed for the final decision of criminal and civil cases so that citizens get quick and cheap justice like the Khilafah Rashidah.

3. Awareness of legal and constitutional awareness:



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In Higher Education Commission and competitive examinations, the passing marks for courses on fundamental human rights, the Constitution of Pakistan, and the administrative principles of the Khilafah Rashidah should be 70% so that the ruling class can be fully aware of its constitutional and moral limits and the public can be fully aware of their rights and duties.

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